

# **Town Board Minutes**

## **Meeting No. 9**

### ***Regular Meeting***

**April 3, 2000**

## **Town Board Minutes**

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**Meeting No. 9**

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 3<sup>rd</sup> day of April, 2000 at 8:00 P.M. and there were

**PRESENT:** MARK MONTOUR, COUNCIL MEMBER  
GEORGETTE PELLETTERIE, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
RICHARD ZARBO, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
ROBERT LABENSKI, TOWN ENGINEER  
RICHARD SHERWOOD, TOWN ATTORNEY  
JEFFREY SIMME, BUILDING INSPECTOR  
THOMAS FOWLER, CHIEF OF POLICE  
CHRISTINE FUSCO, ASSESSOR  
RICHARD REESE JR., HIGHWAY SUPERINTENDENT

### **PERSONS ADDRESSING TOWN BOARD:**

**Beutler, Daniel**, 26 Tyler Street, spoke to the Town Board on the following matters:

- Comments regarding traffic impact upon Lancaster's highways as a result of new commercial projects.
- Comments about the Transit Road corridor study (Resolution #3).

**Kubicki, Gloria**, 15 Maple Drive, spoke to the Town Board on the following matters:

- Proponent of an accident study of Walden Avenue & Pavement Road intersection.
- Asked a question about resolution #3.
- Asked a question about Salvatore's proposed car showroom.
- Suggested the Town utilize the former BOCES building as a Senior Center.

**Bastian, Norman**, 5747 Genesee Street, spoke to the Town Board on the following matters:

- Comments regarding traffic signal at Walden Avenue & Pavement Road.
- Question regarding possible addition to Senior Citizen Center.

**Kowalik, Ronald**, 132 Siebert Road, spoke to the Town Board on the following matter:

- Requested the Town Board to consider a local law prohibiting the feeding of wild geese.

**PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**RESOLVED**, that the minutes from the Regular Meeting of the Town Board  
held on March 20, 2000 be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 3, 2000

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ZARBO, TO WIT:

**WHEREAS**, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects; and

**WHEREAS**, the Town of Lancaster herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

**WHEREAS**, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

**NOW, THEREFORE, BE IT**

**RESOLVED**, by the Town Board of the Town of Lancaster:

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That the Supervisor is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE;
3. That the MUNICIPALITY agrees that it will fund its portion of the cost of said Municipal Waste Reduction and/or Recycling Project.
4. That the MUNICIPALITY or MUNICIPALITIES set forth their respective responsibilities by attached joint resolution relative to a joint Municipal Waste Reduction and/or Recycling Project.
5. That this resolution shall take effect immediately.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 3, 2000

file: r waste recycling grant

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, Transit Road serves as the western border of the Town of Lancaster, and

**WHEREAS**, the Lancaster Town Board supports the study of land uses, circulation patterns, safety issues, aesthetics, and local land use/design regulations (zoning and site plan regulations) found along the Erie County portion of Transit Road, especially as these elements pertain to the Lancaster portion of Transit Road, and

**WHEREAS**, results of the proposed study could be utilized to develop a series of model guidelines to improve the quality of the physical and visual environment along Transit Road including improved and safer traffic circulation, improved pedestrian environment, more attractive physical development, and an overall improvement in community quality of life.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Lancaster Town Board is in full support of Erie County's application to the Quality Communities Demonstration program for grant monies to conduct the aforementioned study of the Transit Road Corridor, and

**BE IT FURTHER**

**RESOLVED**, that the Town of Lancaster is a willing collaborator in the submission of this application.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 3, 2000

file: rsupport of study

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, January 1, 2000 General Administrative appointments were made by the Town Board of the Town of Lancaster for the period of January 1, 2000 to December 31, 2001, and

**WHEREAS**, an appointment to the position of Deputy Town Prosecutor, part time, was inadvertently not included in the appointments, and

**WHEREAS**, the Supervisor has recommended the appointment of Thomas Przybyla to the position of Deputy Town Prosecutor, part time, retroactive to January 1, 2000 in the Town of Lancaster.

**NOW, THEREFORE, BE IT**

**RESOLVED** that Thomas Przybyla has been appointed to the position of Deputy Town Prosecutor, part time, with compensation to be at the salary as set forth in the Schedule of Salaries of the Town of Lancaster adopted by the Town Board for the years 2000 and 2001.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 3, 2000

file: rperslate

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER PELLETTERIE, TO WIT:

**WHEREAS**, the Town Clerk of the Town of Lancaster has requested an extension to the time for collecting unpaid 2000 County/Town taxes to June 30, 2000 to allow taxpayers to pay their taxes in Lancaster rather than traveling to Buffalo, and

**WHEREAS**, the enabling legislation to permit such an extension is set forth in Article VI, Section 6-14.0 of the Laws of 1942, and

**WHEREAS**, the Town Clerk of the Town of Lancaster shall fully account to the Commissioner of Finance on or before the fifth day of each month during such extension and shall make a full and complete payment of all taxes collected to the Commissioner of Finance.

**WHEREAS**, the Town Board has given due review and consideration to this request.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to file a request with the Commissioner of Finance, County of Erie, for an extension of the warrant to collect unpaid 2000 County/Town taxes to June 30, 2000.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 3, 2000

file: Rtax warrant

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER PELLETTERIE, TO WIT:

**WHEREAS, Hamister Development Company, 651 Delaware Avenue,**  
Buffalo, New York, owner of certain property located at 3953 Walden Avenue, Lancaster, New  
York has submitted an application for a Special Use Permit for warehousing and storage  
(Premier Self Storage of Lancaster) in accordance with provisions of Chapter 50-Zoning,  
Section 20 (B) (1) (e) of the Code of the Town of Lancaster,

**NOW, THEREFORE, BE IT**

**RESOLVED,** that pursuant to §50-20 (B) (1) (e), of the Code of the Town of  
Lancaster, a Public Hearing on the proposed Special Use Permit for warehousing and storage  
services on premises locally known as 3953 Walden Avenue in the Town of Lancaster, New  
York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 17th day  
of April, 2000 at 8:30 o'clock P.M., Local Time, and that Notice of the time and place of such  
hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town, and  
be posted on the Town Bulletin Board, and that a copy of such Notice of Hearing be referred to  
the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal  
Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 3, 2000

File:rsuph2.300



**LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER  
SPECIAL USE PERMIT  
PREMIER SELF STORAGE  
OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in §50-20 (B)(1) (e) Chapter 50-Zoning , of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 3rd day of April, 2000, the Town Board will hold a Public Hearing on the 17th day of April, 2000, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of Hamister Development Company, Inc. for a Special Use Permit, for a warehousing and storage facility on premises locally known as 3953 Walden Avenue in the Town of Lancaster, County of Erie and State of New York .

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**BY: Johanna M. Coleman  
Town Clerk**

April 3, 2000

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ZARBO, TO WIT:

**WHEREAS**, the Town of Lancaster , serving as lead agency, and the Town of Cheektowaga, serving as a collaborating agency, wish to share purchase of an aerial truck to enable municipal employees to address forestry and street/signal lighting duties; and

**WHEREAS**, grant monies are available through the New York State Department of State Quality Communities Demonstration Program to implement this project, and

**WHEREAS**, should grant monies be awarded, the Town of Lancaster and Town of Cheektowaga will enter into an intermunicipal agreement to share the cost of purchase, operation, and maintenance of the aerial truck.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Department of State for the purpose of securing this grant, and

**BE IT FURTHER**

**RESOLVED**, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 3, 2000

file: Raerial truck grant

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, the Town of Cheektowaga, serving as lead agency, the Town of Lancaster, and the Village of Depew, serving as collaborating agencies, wish to develop a long range water resource and open space management plan for those natural resources which mutually benefit the aforementioned municipalities, and

**WHEREAS**, grant monies are available through the New York State Department of State Quality Communities Demonstration Program to implement this project;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 3, 2000

file: Rwater & open space grant

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ZARBO, TO WIT:

**WHEREAS**, the Town of Lancaster, serving as lead agency, and the Village of Lancaster, serving as a collaborating agency, propose to conduct a study to ascertain the implications of a possible merger of their respective Police Departments, and

**WHEREAS**, grant monies are available through the New York State Department of State Quality Communities Demonstration Program to conduct such a study;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Department of State for the purpose of securing this grant, and

**BE IT FURTHER**

**RESOLVED**, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 3, 2000

file: Rconsolidation study grant

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER PELLETTERIE, TO WIT:

**WHEREAS**, the Town of Lancaster leases a town-owned parcel to Upstate Cellular Network (UCN) at a site on Penora Street for the placement of a communications tower, and

**WHEREAS**, the Lease Agreement with UCN provides that in the event UCN assigns its interest in the lease the Town must be notified and approve such assignment, and

**WHEREAS**, UCN has advised the Town that it desires to assign its interest in the Lease to a tower management company known as Crown Atlantic Company, LLC (CAC) and which is a joint venture of Bell Atlantic Mobile as an affiliate of UCN and Crown Castle International Corporation, and

**WHEREAS**, the Town Board has reviewed the request for approval by UCN and the Attorney has reviewed the legal aspects of the assignment;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the assignment from Upstate Cellular Network to Crown Atlantic Company LLC, the terms and conditions of the original lease agreement now to become the obligation of the (CAC) including those conditions governing the co-location of additional communication providers on the tower.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 3, 2000

file: rcelltwr.400

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, a vacancy exists in the position of Bingo Inspector, part time, in the Town of Lancaster due to the resignation of Wayne Robinson, effective April 1, 2000, and

**WHEREAS**, the Supervisor of the Town of Lancaster has recommended to the Town Board the appointment of Edward Weremblewski to fill this vacancy.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Edward Weremblewski, 461 Aurora Street, Lancaster, New York 14086, be and is hereby appointed to the position of Bingo Inspector, part time, in the Town of Lancaster for the period of April 3, 2000 to December 31, 2001 at a salary as set forth in the Schedule of Salaries of the Town of Lancaster for said position.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 3, 2000

file: Rpers Bingo Inspector

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPNIAK, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered  
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk  
by the Director of Administration and Finance, to wit:

Claim No. 1432 to Claim No. 1642 Inclusive

Total amount hereby authorized to be paid: \$825,572.69

The question of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 3, 2000

File: Relaims

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER PELLETTIERE, TO WIT:

**RESOLVED** that the following Building Permit Applications be and are hereby  
approved and the issuance of these Building Permits be and are hereby authorized:

**CODES:**

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are  
waived for this permit.

(CSW) = Conditional sidewalk waiver.

**NEW PERMITS:**

Pmt #	SW	Applicant Name	Address	Structure
6609		Nigel Enterprises	6 Schiffler Ct	Er. Sin. Dwlg
6610		Nigel Enterprises	20 Schiffler Ct	Er. Sin. Dwlg
6611		Sunrise Bldrs	13 Hunters Dr	Er. Sin. Dwlg
6612		Lancaster Airport Inc	4343 Walden Ave	Er. Airport Hangar
6613		Zimmer, Richard	7 Hemlock Ln	Er. Pool
6614		Tn of Lancaster IDA	68 Ward Rd	Com. Addition
6615		Krajewski, Stephen	5632 William St	Er. Pool
6616		Krajewski, Stephen	5632 William St	Er. Fence
6617		Stinson, John	17 Fox Hunt Rd	Er. Pool
6618		Stepnick, Ronald	12 Hunters Dr	Er. Pool
6619		Stepnick, Ronald	12 Hunters Dr	Er. Fence
6620		Nicosia, Michael	56 Rehm Rd	Er. Pool
6621		Nicosia, Michael	56 Rehm Rd	Er. Fence
6622		Christopher, David	17 Via Donato W	Res. Addition
6623		Kujawa, Carl	16 Sagebrush Ln	Er. Shed
6624		Transit French Assoc	4779 Transit Rd	Com. Addition
6625		Laganbina, Maurice	48 Michael's Walk	Er. Shed
6626		Kaiser, Richard	71 Michael's Walk	Er. Pool
6627		Marrano/Marc Equity	34 Woodgate Dr	Er. Sin. Dwlg
6628		Rapin, Harold	646 Harris Hill Rd	Er. Shed
6629		Schaff, Robert	3602 Bowen Rd	Er. Garage
6630		Windsor Ridge Ptnrs	7 Windcroft Ln	Er. Sin. Dwlg
6631		Grupp, Mark	53 Quail Run Ln	Er. Shed
6632		Rausch, William	5 Hill Valley Dr	Er. Pool
6633		Carswell, John	71 Michael Anthony Ln	Er. Shed
6634		Thurnherr, Richard	131 Pavement Rd	Com. Addition
6635		Nosbisch, Joseph	50 Stream View Ln	Er. Fence
6636		Dachille, Robert	69 Old Post Rd	Er. Pool
6637		Donato Homes Inc	205 Nathan's Trl	Er. Sin. Dwlg



6638	Croce, Martin	4993 Transit Rd	Er. Sign Pole
6639	Scanzusa, Anthony	38 Bentley Cir	Er. Fence
6640	Taberski, Robert	4 Hunters Dr	Res. Alteration
6641	Forbes Homes Inc	40 Pleasant View Dr	Er. Shed
6642	Dachille, Robert	69 Old Post Rd	Er. Fence
6643	Kunselman, Charles	5748 Broadway	Er. Shed
6644	Delcarlo, David	17 Michael's Walk	Er. Pool
6645	Delcarlo, David	17 Michael's Walk	Er. Fence
6646	Kulbacki, D	30 Hillside Pky	Er. Pool
6647	Kulbacki, D	30 Hillside Pky	Er. Fence
6648	Gillen, Eric	55 Brunck Rd	Er. Shed
6649	Pawelek, Leo	58 Creekwood Dr	Er. Gazebo
6650	Thomson, Richard	6080 Broadway	Res. Addition
6651	Greiner, Allan	113 Broezel Ave	Res. Addition
6652	Korta, Richard	46 Lake Fst Pky E	Er. Deck
6653	Pioneer Properties	480 Aurora St	Er. Temp. Sign
6654	Greene, Richard	47 Signal Dr	Er. Shed
6655	Burridge, Joel	90 Newberry Ln	Er. Shed
6656	Pellinger, Jeffrey	42 Stream View Ln	Er. Deck
6657	McKenna, John	3581 Bowen Rd	Er. Fence
6659	Guzik, Linda	39 Stream View Ln	Er. Fence
6660	Magistrale, Samuel	20 Sagebrush Ln	Er. Shed
6661	Marrano/Marc Equity	Farmview Ct	Er. Sin. Dwlg
6662	Marrano/Marc Equity	11 Summerfield Dr	Er. Sin. Dwlg

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote  
on roll call which resulted as follows

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 3, 2000

File:Rbldg2

Supervisor Giza requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
STEMPNIAK, TO WIT:

**WHEREAS**, the Town of Lancaster has caused the necessary bonding for signalization at the intersection of William Street and Lake Avenue and William Street and Bowen Road in the Town of Lancaster, and has ordered and taken delivery of the poles and signals which will be used for the signalization, and

**WHEREAS**, the County of Erie must carry out the process of inviting public bid from contractors to install the signals, but desires to further plan the improvement of Bowen and William, and

**WHEREAS**, the Town Board of the Town of Lancaster believes it in the public interest to cause the installation of the signals at the earliest possible date and accordingly does not deem it to be in the public interest to hold the signal installation at William Street and Lake Avenue while plans are being further reviewed for William Street and Bowen Road and in light of the fact that the Town is obligated to pay for the signalization at the intersection of William Street and Lake Avenue including installation, while the County invites the bid;

**NOW, THEREFORE, BE IT  
RESOLVED**, as follows:

1. That the Town Board of the Town of Lancaster hereby memorializes the County of Erie that it is crucial to the public safety to cause the installation at William Street and Lake Avenue at the earliest possible date even if it means bidding the contract of that project separate from William Street and Bowen Road as the Town has the financial obligation for the signalization cost and not the County and as a result it will not cost the County to go forward with the William Street and Lake Avenue project separate from the William Street and Bowen Road project; and

2. That the Town Clerk be and is hereby directed to furnish a certified copy of this resolution to Erie County Executive, Joel Giambra; 17th District Legislator Dale Larson; the entire Erie County Legislature and the Erie County Department of Planning, Division of Public Works.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 3, 2000

File: rwmlake.400

Supervisor Giza requested a suspension of the necessary rule for immediate consideration of the following resolution:

**SUSPENSION GRANTED:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ZARBO, TO WIT:

**WHEREAS**, there have been two motor vehicle accidents in the past three (3) months at the intersection of Pavement Road and Walden Avenue in the Town of Lancaster which have resulted in the loss of three lives, and

**WHEREAS**, the Town Board of the Town of Lancaster deems it paramount that the State of New York Department of Transportation evaluate this intersection of a State highway and a County road to determine whether improvements can be made to alleviate the potential for future accidents, injuries and deaths;

**NOW, THEREFORE, BE IT  
RESOLVED**, as follows:

1. That the Town Board of the Town of Lancaster hereby memorializes the New York State Department of Transportation to cause a study of the beforementioned intersection to determine whether safety improvements can be made by the State and County at this intersection, and

2. The Town Clerk is hereby directed to furnish a certified copy of this resolution to the Regional Director of the New York State Department of Transportation, 125 Main Street, Buffalo, New York 14203; New York State Senator Dale Volker and New York State Assemblywoman Sandra Lee Worth.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 3, 2000  
File: rdot.400

Council Member Zarbo requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ZARBO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER PELLETTERIE, TO WIT:

**WHEREAS**, the County of Erie has notified the Town of Lancaster that funding is available through the Quality Communities Demonstration Program of the State of New York to accomplish effective planning for long term community and regional vitality, and

**WHEREAS**, the County is in the process of preparing an application for such funding, and

**WHEREAS**, the Town Board of the Town of Lancaster deems it in the public interest to support the County in this endeavor;

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That the Town Board of the Town of Lancaster hereby memorializes the County of Erie to submit the beforementioned application, and

2. That the Town Clerk is hereby directed to furnish a certified copy of this resolution to Thomas J. Dearing, Community Planning Coordinator, Department of Environment and Planning, 95 Franklin Street, 10th Floor, Buffalo, New York 14202.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 3, 2000

File: rcnty.400

## COMMUNICATIONS & REPORTS:


202. Planning Board Chairman to Planning Board Members, Town Board Members -  
Transmittal of minutes of meeting held March 15, 2000. DISPOSITION = Received and Filed
203. Town Attorney to Dept. of Environment & Planning -  
Request lead agency designation re: site plan application of Premier Storage.  
DISPOSITION = Received and Filed
204. Town Attorney to NYS Dept. of Transportation -  
Request lead agency designation re: site plan application of Premier Storage.  
DISPOSITION = Received and Filed
205. Town Attorney to NYS Dept. of Environmental Conservation -  
Request lead agency designation re: site plan application of Premier Storage.  
DISPOSITION = Received and Filed
206. State of New York Dept. of State to Town Clerk -  
Notification of conference organized by Nation Audubon Society of NYS.  
DISPOSITION = Received and Filed
207. Sunflowers, Inc. to Town of Lancaster -  
Notice of application for NYS liquor license. DISPOSITION = Received and Filed
208. George MacPeck to Town Clerk -  
Transmittal of Safety Committee minutes from meeting of 3/16/2000. DISPOSITION = Received and Filed
209. Chief of Police to Chairman Lancaster Town Planning Board -  
Notification of no objection to site plan approval for Woodland Place. DISPOSITION = Planning Committee
210. Chief of Police to Chairman Lancaster Town Planning Board -  
Transmittal of notice of no approvals necessary from the Police Department for site plan application of Salvatore's Italian Garden (car showroom). DISPOSITION = Planning Committee
211. Erie County Legislators Swanick & Peoples to Supervisor -  
Comments re: elimination of county's 4% sales tax on clothing purchases at or below \$110. DISPOSITION = Received and Filed
212. State of New York Office of the Attorney General to Supervisor -  
Introduction of Vernice Williams to new position as assistant to the Director of Intergovernmental Affairs for the New State Attorney General's Office.  
DISPOSITION = Received and Filed
213. George MacPeck to Town Board -  
Request cooperation of all department heads re: a safer working environment.  
DISPOSITION = Received and Filed
214. State of NY Office of the State Comptroller to Supervisor -  
Transmittal of regulations re: violations of fines & accounting procedures relating to handicapped parking spaces. DISPOSITION = Town Attorney
215. Erie County Executive to Supervisor -  
Request support of submission of an application by Erie County for funding from the Quality Communities Demonstration Program. DISPOSITION = Resolution 4/3/2000
216. State of New York Office of Real Property Services to Erie County Real Property Tax Services Director -  
Transmittal of an update for assessors and supervisors in project towns of the ongoing activities taking place. DISPOSITION = Received and Filed

217. State of NY Office of the State Comptroller to Supervisor -  
Transmittal of a Report of Examination for the Town of Lancaster. DISPOSITION =  
Received and Filed
218. Town Clerk to Zoning Board Members, Building Inspector and Dep. Town Attorney -  
Transmittal of variance petitions for meeting to be held April 13, 2000.  
DISPOSITION = Received and Filed
219. Town Clerk to Supervisor -  
Transmittal of request to extend warrant to collect County/Town tax. DISPOSITION  
= Received and Filed
220. Governor George Pataki to Residents of New York State -  
Proclamation of April 1, 2000 as *Census Participation Day*. DISPOSITION =  
Received and Filed
221. School and Municipal Energy Cooperative to School Business Officials, Town  
Supervisors, Village Mayors -  
Transmittal of invitation to join the School and Municipal Energy Cooperative for the  
purchase of electricity. DISPOSITION = Supervisor
222. State of NY Division of Criminal Justice Services to Supervisor -  
Transmittal of grant contract for Youth Court and Community Sanctions Program  
between Division of Criminal Justice Services and the Town of Lancaster.  
DISPOSITION = Received and Filed
223. Ronald Kowalik to Town Board -  
Request Town ordinance re: feeding of Canada Geese. DISPOSITION = General  
Crew Chief
224. Wayne (Shorty) Robinson to Supervisor -  
Conveyance of resignation from the position of Deputy Bingo Inspector for the Town  
of Lancaster. DISPOSITION = Received and Filed
225. Depew-Lancaster Leagues, Inc Opening Day Chairman to Supervisor -  
Invitation to participate in the annual "Opening Day Parade". DISPOSITION =  
Received and Filed
226. County of Erie Dept. of Health to Pittsford-Mendon Corporation -  
Enclosure of Certificate of Approval of Realty Subdivision Plans for Valley Overlook  
Subdivision. DISPOSITION = Received and Filed
227. Town Attorney to Town Board -  
Advisal of reception of copies of site lease agreements for cell towers in the Town.  
DISPOSITION = Resolution
228. General Crew Chief to Planning Board Chairman & Planning Board Members, Council  
Members Stempniak & Pelletterie -  
Review & site plan determination for plantings for Salvatore's Italian Garden and HH  
Housing. DISPOSITION = Received and Filed
229. Edward Weremblewski to Supervisor -  
Notification of resignation from the Assessment Review Board. DISPOSITION =  
Received and Filed

**ADJOURNMENT:**

**On MOTION OF COUNCIL MEMBER STEMPIAK AND SECONDED BY THE  
ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 9:29 P.M.**

Signed

  
Johanna M. Coleman, Town Clerk